

REMARKS

Claims 1-21 are pending. Claims 1-4, 6-11, 13-18, 20 and 21 are rejected under 35 U.S.C. §102(e). Claims 5, 12 and 19 are rejected under 35 U.S.C. §103(a). Applicants respectfully traverse these objections and rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these objections and rejections.

I. REJECTIONS UNDER 35 U.S.C. §102(e):

The Examiner has rejected claims 1-4, 6-11, 13-18, 20 and 21 under 35 U.S.C. §102(e) as being anticipated by Clark et al. (U.S. Patent Application Publication No. 2003/0088617) (hereinafter "Clark"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

For a claim to be anticipated under 35 U.S.C. §102, each and every claim limitation must be found within the cited prior art reference and arranged as required by the claim. M.P.E.P. §2131.

Applicants respectfully assert that Clark does not disclose "a method for managing commerce contexts, the data processing system being associated with a direct commerce context and a temporary commerce context, the data processing system being operatively coupled to memory having a session area" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites paragraphs [0004, 0011 and 0042] of Clark as disclosing the above-cited claim limitations. Office Action (7/3/2007), pages 2-3. Applicants respectfully traverse.

Clark instead discloses that web-based applications allow a user to use their browser to quickly and remotely access secure business logic, such as e-commerce shopping cart systems, financial planning systems, insurance or mortgage quote systems, and the like. [0004]. In addition, Clark discloses memory, such as a database and a cache, is included for storing application-specific data and lists of the feature mechanisms of the application. [0011]. Clark further discloses that the computer system includes a portal framework that receives user requests from client

devices and for transmitting responses. [0011]. Clark additionally discloses that the portal framework is adapted to process the user request for building a response with an application content page built by the view portion and a "wraparound" portion built for the application by the portal framework. [0011]. Furthermore, Clark discloses that the master controller 70 of the portal framework 22 sets the page name parameter to the home page and retrieves a default or home feature content from the cache memory 29 along with a generic or home page controller and model interface. [0042].

Hence, Clark discloses web-based applications allowing a user to use their browser to quickly and remotely access secure business logic. Further, Clark discloses memory for storing application-specific data and lists of the feature mechanisms of the application. Additionally, Clark discloses a portal framework that is adapted to process the user request for building a response with an application content page built by the view portion and a "wraparound" portion built for the application by the portal framework. Furthermore, Clark discloses that the master controller of the portal framework may retrieve a default or home feature content from the cache memory along with a generic or home page controller and model interface.

There is no language in the cited passages that discloses managing commerce contexts. Neither is there any language in the cited passages that discloses a system being associated with a direct commerce context and a temporary commerce context. Neither is there any language in the cited passages that discloses a system being operatively coupled to memory having a session area. Thus, Clark does not disclose all of the limitations of claims 1, 8 and 15, and thus Clark does not anticipate claims 1, 8 and 15. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "receiving a client request associated with a commerce context parameter" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites paragraph [0043] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), page 3. Applicants respectfully traverse.

Clark instead discloses that at 120, the user request 120 is processed by the master controller 70 to obtain the page name parameter from other provided requested information. [0043]. Hence, Clark discloses processing the user request to obtain the page name parameter.

There is no language in the cited passage that discloses receiving a client request associated with a commerce context parameter. Thus, Clark does not disclose all of the limitations of claims 1, 8 and 15, and thus Clark does not anticipate claims 1, 8 and 15. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "determining the commerce context associated with said commerce context parameter" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites paragraphs [0028 and 0043] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), page 3. Applicants respectfully traverse.

Clark instead discloses that the master controller 70 obtains a page name parameter that is used to determine which feature content 88 should receive the user request 42 information. [0028]. Additionally, Clark discloses that at 120, the user request 120 is processed by the master controller 70 to obtain the page name parameter from other provided requested information (if null, the page name parameter remains the home page). [0043]. Further, Clark discloses that the master controller 70 acts to get the feature content page 88 associated with the obtained page name parameter or to throw an exception if such a page 88 does not exist. [0043].

There is no language in the cited passage that discloses determining the commerce context associated with the commerce context parameter. Thus, Clark does not disclose all of the limitations of claims 1, 8 and 15, and thus Clark does not anticipate claims 1, 8 and 15. M.P.E.P. §2131.

Claims 2-7 each recite combinations of features of independent claim 1, and hence claims 2-7 are not anticipated by Clark for at least the above-stated reasons that claim 1 is not anticipated by Clark.

Further, claims 9-14 each recite combinations of features of independent claim 8, and hence claims 9-14 are not anticipated by Clark for at least the above-stated reasons that claim 8 is not anticipated by Clark.

Additionally, claims 16-21 each recite combinations of features of independent claim 15, and hence claims 16-21 are not anticipated by Clark for at least the above-stated reasons that claim 15 is not anticipated by Clark.

Claims 2-7, 9-14 and 16-21 recite additional features, which, in combination with the features of the claims upon which they depend, are not anticipated by Clark.

For example, Clark does not disclose "wherein the step of determining the commerce context associated with said commerce context parameter includes determining whether said commerce context parameter identifies said direct commerce context or said temporary commerce context" as recited in claim 2 and similarly in claims 9 and 16. The Examiner cites paragraph [0043] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), pages 5-6. Applicants respectfully traverse.

Clark instead discloses that at 120, the user request 120 is processed by the master controller 70 to obtain the page name parameter from other provided requested information (if null, the page name parameter remains the home page). [0043]. Further, Clark discloses that the master controller 70 acts to get the feature content page 88 associated with the obtained page name parameter or to throw an exception if such a page 88 does not exist. [0043].

There is no language in the cited passage that discloses determining whether the commerce context parameter identifies the direct commerce context or the temporary commerce context. Thus, Clark does not disclose all of the limitations of claims 2, 9 and 16, and thus Clark does not anticipate claims 2, 9 and 16. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "constructing the commerce context associated with said commerce context parameter" as recited in claim 3 and similarly in claims 10 and 17. The Examiner cites paragraphs [0037 and

0047] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), page 6. Applicants respectfully traverse.

Clark instead discloses that to facilitate feature development, a Model 2 JSP standard can be followed with the feature content or content page 88 being implemented by JSP (Java™ server page) technology, which is a well-known technique for dynamically building graphical user interfaces based on request 42 parameters with JSP pages that include a mixture of code and content that is recognized by browsers at the clients 50, 54, 58. [0037]. Clark further discloses that the presentation container 76 begins to build the response 44 by including at least a first part of the repeated "wrap around" presentation. [0047].

There is no language in the cited passages that discloses constructing the commerce context associated with the commerce context parameter. Thus, Clark does not disclose all of the limitations of claims 3, 10 and 17, and thus Clark does not anticipate claims 3, 10 and 17. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "wherein said commerce context parameter is included in said client request" as recited in claim 4 and similarly in claims 11 and 18. The Examiner cites paragraph [0043] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), page 6. Applicants respectfully traverse.

Clark instead discloses that the master controller 70 acts to get the feature content page 88 associated with the obtained page name parameter or to throw an exception if such a page 88 does not exist. [0043].

There is no language in the cited passage that discloses that the commerce context parameter is included in the client request. Thus, Clark does not disclose all of the limitations of claims 4, 11 and 18, and thus Clark does not anticipate claims 4, 11 and 18. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "wherein said client request further includes a second commerce context parameter, and wherein said method further comprises the step of defining said second commerce context

parameter in the session area" as recited in claim 6 and similarly in claims 13 and 20. The Examiner cites paragraph [0044] of Clark as disclosing the above-cited claim limitations. Office Action (7/3/2007), page 6. Applicants respectfully traverse.

Clark instead discloses that steps 120 and 130 typically occur in response to a user of a client 50, 54, 58 operating their browser to navigate to a menu item or page function and the master controller 70 and abstract controller 72 handling the request 42 based on feature content 88 properties. [0044].

There is no language in the cited passage that discloses that the client request further includes a second commerce context parameter. Neither is there any language in the cited passage that discloses defining the second commerce context parameter in the session area. Thus, Clark does not disclose all of the limitations of claims 6, 13 and 20, and thus Clark does not anticipate claims 6, 13 and 20. M.P.E.P. §2131.

Applicants further assert that Clark does not disclose "executing said client request using said constructed commerce context" as recited in claim 7 and similarly in claims 14 and 21. The Examiner cites paragraph [0048] of Clark as disclosing the above-cited claim limitation. Office Action (7/3/2007), page 7. Applicants respectfully traverse.

Clark instead discloses that the built response 44 is then returned and the presentation displayed to the user. [0048].

There is no language in the cited passage that discloses executing the client request using the constructed commerce context. Thus, Clark does not disclose all of the limitations of claims 7, 14 and 21, and thus Clark does not anticipate claims 7, 14 and 21. M.P.E.P. §2131.

As a result of the foregoing, Applicants respectfully assert that not each and every claim limitation was found within Clark, and thus claims 1-4, 6-11, 13-18 and 20-21 are not anticipated by Clark. M.P.E.P. §2131.

II. REJECTIONS UNDER 35 U.S.C. §103(a):

The Examiner has rejected claims 5, 12 and 19 under 35 U.S.C. §103(a) as being unpatentable over Clark in view of Hunt et al. (U.S. Patent No. 6,223,215)

(hereinafter "Hunt"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

Most if not all inventions arise from a combination of old elements. *See In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). Obviousness is determined from the vantage point of a hypothetical person having ordinary skill in the art to which the patent pertains. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). Therefore, an Examiner may often find every element of a claimed invention in the prior art. *Id.* However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. *See Id.* In order to establish a *prima facie* case of obviousness, the Examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998). The Examiner must provide articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *KSR International Co. v. Teleflex Inc.*, 82 U.S.P.Q.2d 1385, 1396 (U.S. 2007).

In order to sustain the rejection of claims 5, 12 and 19 for obviousness, the Examiner has to provide some rational connection between the cited passage that is the source of the Examiner's reasoning and the missing claim limitation. As understood by Applicants, the Examiner admits that Clark does not teach "wherein said commerce context parameter is defined in the session area" as recited in claim 5 and similarly in claims 12 and 19. Office Action (7/3/2007), page 7. The Examiner asserts that Hunt teaches the above-cited claim limitation. *Id.* The Examiner's reasoning for modifying Clark with Hunt to include the above-cited claim limitation is "because Clark teaches that the invention is session-based system where a reference is established (see page 4, [0030])." *Id.* Applicants respectfully contend that this does not provide reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would modify Clark to include the above-indicated missing claim limitation of claims 5, 12 and 19. Clark teaches that the abstract controller 72 further acts to set the properties of the abstract

model interface 74 and to establish a reference to the abstract model interface 74 as a service session attribute or a service request attribute. [0030]. There is no language in Clark (and in particular paragraph [0030]) to suggest that by having the commerce context parameter defined in the session area (missing claim limitation), the invention can be a session-based system. The cited passage in Clark that mentions that the abstract controller 72 acts to set the properties of the abstract model interface 74 does not provide appropriate reasoning for modifying Clark to incorporate the above-cited missing claim limitation. Accordingly, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 5, 12 and 19. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998).

Further, Clark teaches away from the asserted modification. Clark addresses the problem of controlling access to applications and their features in a network setting that facilitates development of the applications and building or modifying application features. [0008]. Clark solves the problem at least in part by providing a service portal system in which a portal framework is provided for each service application to provide a single entry and exit point for the application. [0009]. That "Clark teaches that the invention is a session-based system where a reference is established," as suggested by the Examiner, does not explain why one skilled in the art would modify Clark to have the commerce context parameter be defined in the session area. Clark is not concerned with being a session-based system. Further, Applicants respectfully contend that there is no rationale connection between having the invention of Clark be a session-based system and having the commerce context parameter be defined in the session area. Hence, the Examiner's rationale does not provide reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would modify Clark to include the missing claim limitation of claims 5, 12 and 19. Accordingly, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 5, 12 and 19. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1458 (Fed. Cir. 1998).

III. CONCLUSION:

As a result of the foregoing, it is asserted by Applicants that claims 1-21 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

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